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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 DAVID D. HARRIS,

12 Plaintiff,

13 v.

14 J. DUBE,

15 Defendant.
16

No. 2:23-CV-1664-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to
18 42 U.S.C. § 1983.

19 To: The California Department of Corrections and Rehabilitation
20 1515 S Street, Sacramento, California 95814:

21 On September 15, 2023, the Court granted Plaintiff's application for leave to
22 proceed in forma pauperis and separately directed the agency listed above to collect monthly
23 partial payments from Plaintiff's trust account and forward such payments to the Court until
24 Plaintiff had paid the filing fee of \$350.00 in full. See ECF Nos. 7 and 8. A review of the docket
25 reflects that, as of the date of issuance of the order to collect partial monthly payments, Plaintiff
26 had already paid filing fees in the amount of \$402.00 for tis action. The Court will vacate the
27 September 15, 2023, order directing partial monthly payments as having been issued in error.
28 The Court will also direct that Plaintiff be reimbursed the \$52.00 overpayment as well as any

1 partial monthly payments received by the Court since September 15, 2023.

2 Accordingly, IT IS HEREBY ORDERED as follows:

3 1. The Court's September 15, 2023, order, ECF No. 8, is VACATED as
4 having been issued in error.

5 2. The Financial Department of the Court is directed to reimburse to Plaintiff
6 any overpayment of filing fees as well as any partial filing fees received since September 15,
7 2023.

8 3. The Clerk of the Court is directed to serve a copy of this order to the
9 address shown above.

10 4. The Clerk of the Court is further directed to serve a copy of this order on
11 the Financial Department of the Court.

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13 Dated: May 1, 2024



14 DENNIS M. COTA
15 UNITED STATES MAGISTRATE JUDGE
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